



Federal Government Commissioner
for Culture and the Media



GERMAN FEDERAL FILM FUND DFFF

GUIDELINES OF THE BKM

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I. PRINCIPLES AND OBJECTIVES

The German Federal Film Fund (DFFF) is a measure of the Federal Government Commissioner for Culture and the Media (BKM) to strengthen the film industry in Germany. The BKM has tasked the German Federal Film Board (FFA) with implementing the measure.

The measure is intended to improve the economic framework conditions for the film industry in Germany, to preserve and promote the international competitiveness of enterprises in the film industry with the objective of achieving long-term effects for Germany as a production location in conjunction with further effects on the macro-economy. In this context, the competitiveness of companies in the production industry and the competitiveness of companies providing production services, including those with a high level of digital added value, are especially important.

This measure is intended to facilitate the financing of German and international feature films in Germany as a cultural good. The measure is aimed at enabling higher production budgets in order to further the artistic scope, the quality, attractiveness and hence the dissemination of films.

At the same time, the expenditure in Germany in connection with the production of films is to be increased, leading to better utilisation of the capacity of production service providers and making Germany as a film location a more attractive place for skilled workers in the film industry. An improvement in film financing for production and production service companies and the existence of the corresponding technical infrastructure constitute the prerequisites for a German and European film culture which is both creative and successful in the long run.

SECTION 1 PURPOSE OF A GRANT AND OBJECTIVE OF THE MEASURE

(1) The German Federal Government awards grants for the production of a film or part of a film in accordance with these Guidelines, sections 23 and 44 of the Federal Budget Code (*Bundeshaushaltsordnung*, BHO) and the relevant General Administrative Provisions. Expenditures are financed from Chapter 0452 Title 683 22 within the framework of the estimated budget and commitment appropriations in each case. Applicants have no legal claim to a grant or a subsequent appropriation. The grant authority decides on the basis of its duly exercised discretion within the confines of the budget funds available.

(2) The objective of the measure is to strengthen film as a cultural good and Germany as a production location, within the confines of the budget funds available for this purpose.

(3) Realisation of the objectives of the measure are evaluated by the committee referred to in section 34 subsection 1.

SECTION 2 NATURE OF A GRANT

(1) The grant is approved in the form of financial aid for the project. The grant is awarded as partial financing. This assumes a financing need on the part of the applicant producer or production service provider in at least the amount of the grant. The calculation of the amount of a grant pursuant to section 16 subsection 1 and/or section 27 subsection 1 remains unaffected.

(2) The financial aid is awarded as a non-repayable grant; section 18 subsection 4 and section 29 subsection 5 remain unaffected.

II. GENERAL PROVISIONS

SECTION 3 RECIPIENT OF A GRANT

The recipient of a grant is the applicant, provided all grant requirements are met. In the case of financial aid pursuant to sections 7 to 20, the applicant may be the producer of a film; in the case of financial aid pursuant to sections 21 to 31, the applicant may be a provider of production services.

SECTION 4 DEFINITIONS

(1) According to these Guidelines, the producer is the person responsible for production of the film up to delivery of the answer print or – in the case of a co-production – the person who is co-responsible and actively involved in producing the film.

(2) According to these Guidelines, the production service provider is the company which has agreed to assemble the technical and artistic means to produce the films or film segments assigned to them and to ensure the production of these films or film segments and their monitoring, and which is responsible for the production costs resulting from the activities within its area of responsibility in Germany.

(3) Total production costs are all costs arising from the production of the film.

(4) Production costs according to these Guidelines are, for financial aid pursuant to Part III, all costs according to no. 2 in Schedule 1 and, for financial aid pursuant to Part IV, all costs according to no. 2 in Schedule 2.

(5) German production costs according to these Guidelines are production costs incurred by companies or their employees as well as by freelancers and self-employed persons for film-related goods and services provided in Germany, in accordance with the following provisions:

Services provided by persons

Wages, salaries, fees and royalties qualify as German production costs if and insofar as they are subject to unrestricted or limited tax liability in Germany. The persons employed within the context of production of the film are to be indicated in a cast and staff list customary in the industry which also indicates the domicile or place of business relevant for tax purposes.

Services provided by companies

Services provided by companies only qualify as production costs spent in Germany if

- the company providing the services has its place of business or a business establishment in Germany and is entered in the Commercial Register or if a registered trade exists there, and
- the company or establishment providing the services has, at the time the services are rendered, at least one permanent employee working in Germany, and
- the detailed invoice for the services is issued by the business or establishment, and
- the services billed are all provided in Germany or the material used to provide the services is all in fact procured in Germany and the technical equipment necessary to provide the services is in fact used in Germany. As regards mobile technical film equipment (e.g. cameras, lighting and sound equipment), it must be procured (i.e. purchased, leased or hired) in Germany.

(6) A film is a feature-length film if it has a screen length of at least 79 minutes, for children's films of 59 minutes. In justified exceptional cases, the FFA managing board may allow a shorter screen length in the case of animated films.

(7) Difficult audio-visual works are for example short films, first and second films of directors, documentary films and films with low production costs. Further, films of which the original version is in the language of a Member State with a small territory or territories, small population or limited language area may be regarded as difficult films. Other films which can be expected to have only limited market success and whose likelihood of commercial exploitation must therefore be considered limited may be regarded as difficult films in particular due to their experimental nature, if and as far as they are highly subject to risks due to their content, style, artistic and/or technical form or culturally demanding nature.

SECTION 5 COMPLIANCE WITH THE LAW GOVERNING THE GRANT

The grant, disbursement and accounting of the grant as well as proof and auditing of its use as well as any necessary revocation of the notification of grant and a claim for repayment of the grant awarded are governed by sections 48 to 49a of the Administrative Procedure Act (*Verwaltungsverfahrensgesetz, VwVfG*), sections 23 and 44 of the Federal Budget Code and the relevant General Administrative Provisions, unless derogations from the General Administrative Provisions are permitted under these funding guidelines. The Bundesrechnungshof (German SAI) is authorised to conduct audits pursuant to sections 91 and 100 of the Federal Budget Code.

SECTION 6 COMPETENT AUTHORITY

The grant and managing authority for this BKM measure is the German Federal Film Board (FFA), Große Präsidentenstraße 9, 10178 Berlin. The FFA is subject to the legal and technical supervision of the BKM in respect of this measure.

III. GRANT REQUIREMENTS FOR PRODUCERS (DFFF I)

CHAPTER I

Grant requirements to be satisfied by the applicant producer

SECTION 7 APPLICANT PRODUCER

(1) The producer of the film is entitled to file the application.

(2) The applicant producer must have his domicile or registered office in Germany, another Member State of the European Union (EU), another contracting state of the European Economic Area (EEA) or Switzerland. If the applicant producer does not have his domicile or registered office in Germany, he must have a business establishment within Germany at the time of disbursement of the grant.

(3) If the application is filed by the subsidiary or establishment of an applicant producer with his registered office outside the EU, the EEA or Switzerland, then all grant requirements must be met by the applicant subsidiary or establishment.

(4) The application must contain the following information about the applicant producer: name, domicile or registered office, legal form and VAT identification number of the company.

(5) The applicant producer or – if the film underlying the application is produced by a single-purpose company founded solely for that purpose – a company affiliated with the applicant must have produced, as an enterprise or a person responsible for a production, at least one feature-length film, a film which fulfils the special grant requirements for films according to section 5 of the Guidelines Issued by the Federal Government Commissioner for Culture and the Media on the German Motion Picture Fund, or a series which fulfils the special grant requirements for series according to section 6 of the Guidelines Issued by the Federal Government Commissioner for Culture and the Media on the German Motion Picture Fund (a reference film in each case) in Germany or another EU Member State or EEA contracting state or Switzerland during the last ten years before filing the application.

If the reference film does not fulfil the applicable grant requirements of the Guidelines Issued by the Federal Government Commissioner for Culture and the Media on the German Motion Picture Fund, it must have been commercially released in cinemas in Germany with at least 20 prints, with at least 10 prints where the total production costs of the reference film did not exceed EUR 2 million and with at least four prints in the case of documentary films. In specially justified exceptional cases, the FFA managing board may permit exceptions to the requirements stipulated in sentences 1 and 2 on request, if the reference film could not be commercially exploited to the required extent on account of force majeure or similar circumstances. Students' final film projects which have been commercially released and films with total production costs below the thresholds given in section 8 (2) are not judged to be reference films; in this case, the following provision concerning the first work of an applicant producer applies.

If financial aid is requested for the first work of an applicant producer, the grant of a subsidy by the BKM, the FFA or a film promotion institution in one of the *Länder* suffices as a reference.

(6) If, in the case of a co-production, several co-producers satisfy the grant requirements, the application may nevertheless only be filed by one of the producers. The producers participating in the co-production must agree on this point and issue a corresponding joint statement to the FFA at the time of filing an application.

(7) No undertaking which is subject to an outstanding recovery order following a previous European Commission decision declaring an aid illegal and incompatible with the internal market may be granted individual aid. Nor may undertakings in difficulties be granted financial aid.

CHAPTER II

Film-related grant requirements

SECTION 8 FILM-RELATED REQUIREMENTS

(1) The grant is awarded for feature-length films.

(2) The total production costs of the film excluding material or services provided free or at a reduced charge, deferred fees for services rendered by those involved in the production of the film and deferred overhead costs must amount to at least EUR 1 million for feature films, to at least EUR 200,000 for documentary films and to at least EUR 2 million for animated films and films with virtually animated components. The minimum production costs referred to in sentence 1 apply only to applications submitted to the FFA in full before the expiry of these Guidelines.

The principles of economical business management according to Schedule 1 of these Guidelines apply.

Upon application by the producer, pursuant to Schedule 1 no. 9 subsection 1 sentence 2, the FFA managing board may, in specially justified exceptional cases approve a higher producer's fee than that provided for in Schedule 1 no. 9 subsection 1 sentence 1. The applicant producer must be sent written and reasoned notification of the managing board's decision regarding the approval or refusal of a higher producer's fee.

(3) No grants are awarded for films which at the time of approval meet the film-related requirements for a grant pursuant to Part IV; however, total production costs that exceed the limit by up to 10 per cent will not be taken into account.

(4) A grant is only awarded for films of which at least one final version is produced in the German language, except for dialogue scenes where the script provides for a different language. As regards the language version of the film, a version with German subtitles suitable for cinema showing suffices. The German-language version must be submitted to the FFA prior to disbursement of the final instalment of the approved grant and at the latest after completion of the answer print and before the start of its theatrical release.

(5) At least one final version of the film must be produced as a barrier-free version. A barrier-free version of a film is a final version of the film with German-language subtitles for people who are deaf or hard of hearing and a final version of the film with German-language audio description for viewers with visual impairments, in a quality which meets market requirements and is suitable for the type of intended screening. Derogations from this requirement are possible in justified exceptional cases upon application by the producer. Such decision is taken by the FFA managing board. Proof of production of the barrier-free final version must be submitted to the FFA before disbursement of the final instalment of the approved grant and at the latest after completion of the answer print and before its theatrical release.

(6) Films which feature anti-constitutional or unlawful content are not eligible for funding. The same applies to films which, taking into account the dramaturgical structure, script, design, the actors' performance, animation, camera work or editing, are overall of poor quality. Further, films which are focused on pornography or the glorification of violence or which openly, seriously and inappropriately violate religious feelings are not eligible for funding. It is up to the FFA managing board to decide whether the conditions of this subsection are met.

(7) The shooting or animation work may commence only after a notification of grant has been issued. The first real or virtual day of shooting is deemed the start of shooting. The FFA may, in exceptional cases and upon application by the producer, decide at its duly exercised discretion and taking account of the administrative provisions issued in regard to section 44 of the Federal Budget Code to allow shooting or animation work to begin earlier.

(8) During the production of the film, the Ecological Standards in the applicable version must be met.

SECTION 9 MANDATORY THEATRICAL RELEASE

(1) The film must be commercially released in Germany. To that end, the film must be screened in a cinema in Germany which regularly screens films, on at least seven consecutive days in a technical format suitable for cinemas and against payment of the market rate (regular initial theatrical release). For documentary films and children's films, screenings on at least five days within one cinema week suffice. The intended theatrical release is demonstrated by presenting a legally binding and unconditional distribution agreement at the time of disbursement at the latest.

(2) In specially justified exceptional cases, regular initial theatrical release may be replaced, upon request by the producer, by an online initial release on paid video-on-demand services, if

1. due to force majeure, the regular initial theatrical release of the film throughout Germany is not possible for a considerable period of time, and
2. the cinema industry receives a significant share of the proceeds from the exploitation of the film up to the expiry of the holdback period stipulated in section 54 subsection 2 no. 1 of the Film Promotion Act (*Filmförderungsgesetz, FFG*).

(3) If the film has had a regular initial theatrical release but further theatrical release throughout Germany is not possible for a considerable period of time owing to force majeure, further release may, in specially justified exceptional cases and on request, be continued on paid video-on-demand services, if the cinema industry receives a significant share of the proceeds from the exploitation of the film up to the expiry of the holdback period stipulated in section 54 subsection 2 no. 1 of the Film Promotion Act.

(4) Section 55 subsection 1 no. 1 of the Film Promotion Act remains unaffected by subsections 2 and 3.

(5) The FFA managing board decides in agreement with the BKM on requests made under subsections 2 and 3.

(6) Proof of theatrical release in Germany must be provided within one year of completion of the answer print. The FFA managing board may extend the deadline in justified exceptional cases.

SECTION 9A NUMBER OF PRINTS, DISTRIBUTION REQUIREMENTS

(1) The distribution agreement pursuant to section 9 subsection 1 sentence 3 must provide for the release in cinemas of at least 20 prints of the film, or of at least 10 prints in case of a grant of less than EUR 320,000; the distribution agreement must provide for at least four prints of a film in the case of a documentary film. The FFA managing board may, upon the joint application of the producer and the distributor, permit an exception to the number of prints specified in sentence 1.

(2) If the film is a theatrical film which is also intended to be broadcast as a television miniseries or on a platform, and the miniseries is at least 20 per cent longer than the version for theatrical release, the distribution agreement must provide for at least 100 prints of the film in the case of feature-length and animated films, in derogation from subsection 1, and at least 15 prints in the case of documentary films.

(3) In specially justified exceptional cases, the FFA managing board may, upon the joint request by the producer and distributor, allow exceptions to the number of prints stipulated in subsections 1 and 2 respectively.

(4) The distributor, as a company or a person, must have released at least three feature-length films in cinemas with at least 10 prints of each film for one week during the last 24 months before filing the application. For documentary films and children's films, release on at least five days in one cinema week with at least eight prints suffices. The FFA keeps a list of distribution companies that satisfy these criteria. In specially justified exceptional cases, the FFA managing board may, upon request, allow exceptions to the requirements set out in sentence 1, if the regular initial theatrical release was not possible throughout Germany for a considerable period of time owing to force majeure or similar circumstances.

SECTION 10 HOLDBACK PERIODS AND TELEVISION BROADCASTING RIGHTS

(1) Part 3 Chapter 1 Division 4 of the Film Promotion Act applies accordingly, unless these Guidelines stipulate otherwise. In derogation from section 24 of the Film Promotion Act, only the FFA managing board decides on the possible exceptions stipulated there. The FFA managing board makes its decisions in accordance with Part 3 Chapter 1 Division 4 of the Film Promotion Act within these Guidelines at its own discretion after due consideration. The same applies insofar as the provisions of Part 3 Chapter 1 Division 4 of the Film Promotion Act do not provide for discretion.

(2) The producer must demonstrate that, in any release agreement with a public broadcasting corporation or a commercial television broadcaster, the complete television broadcasting rights are transferred back to the producer within five years. In individual cases, the release agreement may provide for the television broadcasting rights to be transferred back within no more than seven years, in particular if the producer received more than the average amount of material support from the public broadcasting corporation or commercial television broadcaster for the production of the film. Sentences 1 and 2 do not apply if the producer has granted his television broadcasting rights within the German-language licensing area to a distribution or world sales company in exchange for payment of a distribution or sales guarantee.

SECTION 11 APPLICANT'S CONTRIBUTION

A grant is awarded only if the producer makes an own financial contribution to the total production costs indicated in the cost budget and approved in accordance with section 4 subsections 3 and 4; the applicant producer's own financial contribution must be commensurate with the scope of the production, the capitalisation and the previous production activities of the producer. The applicant's own financial contribution must amount to at least 5 per cent of the total production costs approved by the FFA pursuant to section 4 subsections 3 and 4. In the case of international co-productions, the own financial contribution is calculated on the basis of the financing share of the German producer. Sentence 3 applies accordingly to films produced with the involvement of a public television broadcaster. Sections 77 and 78 of the Film Promotion Act apply accordingly.

SECTION 12 MINIMUM AMOUNT OF GERMAN PRODUCTION COSTS

A grant is awarded only if the German production costs amount to at least 25 per cent of the total production costs. If the total production costs exceed EUR 20 million, the German production costs must, in derogation from sentence 1, amount to at least 20 per cent of the total production costs.

SECTION 13 TEST OF CULTURAL CHARACTERISTICS

(1) A test of characteristics is conducted to ensure the cultural objectives of the measure. A grant is only awarded if the film obtains the relevant minimum number of points in the test of characteristics for feature, documentary and animated films and films with virtually animated components. The test of characteristics for feature films is conducted according to Schedule 3, for documentary films according to Schedule 4 and for animated films and films with virtually animated components according to Schedule 5 of these Guidelines. The film must pass the test of characteristics for documentary films or for animated films and films with virtually animated components if documentary or animated scenes account for the largest share of the project in terms of time. Otherwise the film must pass the test of characteristics for feature films.

(2) In order to ensure the cultural character, feature films must satisfy at least four criteria in the category “Cultural Content” (A-Block no. 1). Documentary and animated films and films with virtually animated components must satisfy at least two criteria in the category “Cultural Content”.

(3) In order to qualify for a grant, a feature film must obtain at least 48 points from both blocks, a documentary film at least 27 points and an animated film at least 42 points, in each case from both blocks.

(4) As regards international co-productions made in accordance with the European Convention on Cinematographic Co-production, only the points system provided for in Appendix II of that Convention apply. For international co-productions of animated or documentary films made in accordance with the European Convention on Cinematographic Co-production, only the point systems provided for in Schedules 6 and 7 apply.

SECTION 14 INTERNATIONAL CO-PRODUCTIONS

(1) As regards international co-productions, the applicant producer must contribute at least 20 per cent of the total production costs; if the total production costs exceed EUR 25 million, a financial contribution of at least EUR 5 million will suffice.

(2) If the film for which a grant is being applied is an international co-production involving a producer from a country which is not an EEA contracting state, then as regards the reference film required under section 7 subsection 5, the applicant producer must have produced that film either alone or as a co-producer with majority participation. The FFA managing board may, in exceptional cases, waive the requirement for majority participation if the technical qualification of the applicant producer is not in doubt.

(3) International co-productions do not receive a grant if the contribution of the applicant producer consists solely of financing, while the applicant producer in the sense of section 7 subsection 2 bears no responsibility for the content and is not actively involved in the production of the film.

SECTION 15 ARCHIVING

The applicant producer is required to provide a technically flawless print of the film in an archivable format to the Federal Republic of Germany free of charge within 12 months of the first public showing of the film or, should the theatrical release run for longer than 12 months, after the theatrical release, unless this obligation has already been otherwise met. If the applicant producer is obliged to produce an barrier-free version of the film in accordance with the provisions of these Guidelines, then sentence 1 also applies to the barrier-free version. Further particulars are determined by the provisions of the German Federal Archives.

SECTION 15A OBLIGATION TO PROVIDE INFORMATION

The current version of the DFFF logo must be shown in the opening or closing credits of the funded film and on all advertising media. The DFFF logo should be the same size as the logos of other funding sources. When used on websites, the DFFF logo must be linked to the DFFF website (<https://www.ffa.de/dfff-en.html>). In addition, the logo of the Federal Government Commissioner for Culture and the Media must be faded in or shown in a clearly visible place in line with the Federal Government’s style guide.

CHAPTER III

Grants for producers

SECTION 16 AMOUNT OF A GRANT; PRODUCTION COSTS ELIGIBLE FOR A GRANT

(1) The grant consists of up to 30 per cent of the German production costs subject to the following provisions, but not to exceed EUR 5 million per film.

(2) The basis for calculating the amount of the grant is the German production costs, but not more than 80 per cent of the total production costs.

(3) The following costs do not qualify as German production costs eligible for a grant when calculating the amount of the grant:

- Pre-production costs according to Schedule 1 no. 6
- Costs for rights to content and rights to other existing works (incl. existing music), except royalties for the script on which the film is based, up to 3 per cent of the German production costs but not exceeding EUR 150,000; for documentary films, archival material up to 30 per cent of the total German production costs
- Costs for legal and tax advice
- Insurance costs
- Financing costs
- Travel and transport costs for performers
- Overhead costs (according to Schedule 1, Overview C)
- Actors' fees insofar as they exceed 15 per cent of the German production costs,
- Contingency fund unless it can be dissolved in the final cost report in favour of goods and services eligible for a grant,
- Materials and services provided free or at reduced charge, deferred fees for services rendered by those involved in the production of the film and deferred overhead costs,
- Costs for shooting and other work done abroad, as far as these do not meet the requirements of subsection 5
- Contributions to the central services organisation of the German film industry for the representation of German films abroad.

(4) As a rule, costs may be taken into account as German production costs eligible for a grant only if they were incurred during the funding period specified by the FFA in the notification of grant. Costs arising within the period of one year prior to submitting an application until the start of the funding period and that may be recognised as German production costs eligible for a grant may only be taken into account as eligible for a grant if and as far as they are necessary for submitting an application and a corresponding provision of budgetary law allows for recognition.

(5) If compelling dramaturgical requirements in the script call for shooting on location which cannot take place in Germany or only at an unreasonably high cost, then the on-location shooting costs incurred abroad for these reasons qualify as German production costs subject to the following restrictions:

- 1.** The costs incurred must satisfy the requirements under section 4 subsections 4 and 5, and
- 2.** there is a limit of 40 per cent of the entire shooting. The limit of 40 per cent of the entire shooting does not apply to documentary films.

The costs incurred under this subsection are however not taken into account when calculating the minimum amount of German production costs pursuant to section 12.

(6) As a general rule, a subsequent overrun of eligible German production costs specified in the application will not be taken into consideration. If the German production costs rise owing to force majeure or similar circumstances, the FFA managing board may, in justified exceptional cases, on request by the producer and in agreement with the BKM, agree to make a subsequent increase of the grant (subsequent appropriation) of up to the maximum percentage grant amount permissible in each case under subsection 1. This subsequent appropriation is limited to a maximum of 30 per cent of the grant originally awarded. The basis for calculating the amount of the subsequent appropriation is the amount of the eligible German production costs additionally incurred. In general, the grant may be cumulated with other funding programmes of the Federal Government or the Länder. In this case, it is necessary to ensure that the funding serves different purposes, i.e. that eligible costs can be separated from each other. The subsequent appropriation is paid in instalments, in agreement with the BKM, taking into account the circumstances of the individual case. The applicant producer must file the written application for an subsequent appropriation as early as possible, stating the reasons for and amount of the additional costs incurred in a substantiated way.

(7) The aid is not to be cumulated with other state aid – including aid as defined in Commission Regulation (EU) 2023/2831 in the version of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L of 15 December 2023) unless the other aid measure concerns different identifiable eligible costs, or if the highest aid intensity applicable to such aid measures or the highest aid amount applicable to such aid measures is not exceeded.

(8) The aid intensity of all the aid granted to a project is limited to 50 per cent of the respective total production costs. In the case of cross-border projects financed by more than one EU Member State and involving producers from more than one Member State, the aid intensity may be up to 60 per cent of the respective total production costs. These ceilings do not apply to difficult audio-visual works and co-productions involving countries that are included on the list of the OECD Development Assistance Committee.

SECTION 17 FILING OF APPLICATIONS AND APPLICATION PROCEDURE

(1) The application must be submitted to the FFA in digital form; detailed information about submitting applications is published on the FFA website.

(2) Applications must be filed no later than six weeks before the start of shooting. The FFA managing board may, in justified exceptional cases, agree to exceptions to this deadline. No application may be submitted after the start of shooting.

(3) The application must contain the planned date of completion of the answer print and the information and documents in digital form stipulated by the FFA in the implementing provisions to these Guidelines. In particular, the application must demonstrate that the grant requirements have been met. If it is not possible to present proof at the time of filing the application, the fact that the grant requirements have been met must be established with sufficient probability. Section 294 of the Code of Civil Procedure (*Zivilprozessordnung*) applies accordingly. In this case the proof must be submitted by the date on which the grant is disbursed. If an invoice is required as proof, it must be issued in the applicant producer's name. Insofar as documents do not exist in a German-language original version, the FFA may require the applicant producer to obtain a translation of the documents by a generally sworn translator, or a German-language summary of the main content required to process the application; the accuracy and completeness of the summary is to be confirmed by the applicant producer.

(4) Applications will be processed by the FFA in the order in which the completed applications are received. Applications received during the hours of business of the FFA on the same calendar day will all be regarded as having been received at the same time.

(5) If the application is incomplete or does not satisfy the requirements as to sufficient probability or proof that the grant requirements have been met, or if other information or documents are missing, the FFA may allow the applicant producer a grace period in order to complete the application. If the application is not completed by the applicant within the grace period granted, it is to be rejected. An applicant may submit no more than two applications for the same project.

(6) All application documents become the property of the BKM and remain in the possession of the FFA.

SECTION 18 APPROVAL

(1) The grant is awarded by way of written notification. The date on which the completed application with the required documents is submitted determines the order in which grants are approved pursuant to this chapter. Several completed applications submitted on the same day will be treated as applications received at the same time.

(2) The application may be approved only when the applicant producer has substantiated the fact that 65 per cent of the total production costs of the project are financed.

(3) The FFA specifies the funding period in the notification of grant.

(4) The General Auxiliary Conditions for Grants for the Promotion of Projects (*Allgemeine Nebenbestimmungen für Zuwendungen zur Projektförderung*, ANBest-P) are an integral part of the notification of grant. In derogation from no. 3.1 of the ANBest-P in conjunction with administrative provision no. 5.3.3. regarding section 44 of the Federal Budget Code, the ceiling for appropriations governed by procurement law is raised to EUR 12 million. The appropriation is composed of all funds allocated by the Federal Government and the *Länder*. The applicant producer is obligated to award contracts only to competent and efficient vendors in line with principles of competition and under cost-effective conditions. At least three bids are to be collected, as far as possible. The procedure and results must be documented. The FFA may ensure that the grant requirements are met by including ancillary terms in the notification of grant. The notification of grant is subject to the condition that the applicant producer, if the rights to the subsidised film are sold to another country, must make a financial contribution to the central services organisation of the German film industry for the representation of German films abroad. The contribution amounts to 1.5 per cent of net proceeds, up to a maximum of EUR 50,000.

(5) The notification of grant is subject to revocation (section 36 subsection 2 no. 3 of the Administrative Procedure Act) of the following number 1 and to the conditions subsequent (section 36 subsection 2 no. 2 of the Administrative Procedure Act) of the following numbers 2 and 3:

1. The total funding of the project must be demonstrated within five months of receipt of the notification of grant, at the latest within the period stipulated in subsection 6 as regards exceptional cases. In accordance with sections 31 and 41 subsection 2 of the Administrative Procedure Act, the period starts on the third day after posting the proof or after electronic sending of the notification.
2. Work on filming or animation must begin within six months of receipt of the notification of grant, at the latest within the period stipulated in subsection 6 as regards exceptional cases.
3. The project must be completed within the term for completion of the answer print as specified in the application, at the latest within the period stipulated in subsection 6 as regards exceptional cases.

(6) Upon application by the applicant producer, the deadlines referred to in subsection 5 nos. 1 to 3 may be extended, based on the exercise of due discretion:

- 1.** The FFA may extend the deadline under subsection 5 no. 1 once, by one month.
- 2.** The FFA may extend the deadline under subsection 5 no. 2 once.
- 3.** The FFA may extend the deadline under subsection 5 no. 3 once. In particularly exceptional cases, the FFA managing board may allow a second extension of this deadline.
- 4.** If it is essential to extend the deadline on account of force majeure or similar circumstances, the FFA managing board may, in justified exceptional cases and in agreement with the BKM, allow further extensions of the deadlines referred to in subsection 5 nos. 1 to 3.

Any application to extend a deadline must be reasoned.

SECTION 19 DISBURSEMENT

(1) The grant is disbursed to the applicant producer after the answer print has been completed at the time stated in the application, and after presenting proof of employment of funds and an audit of the final costs. Proof of actual theatrical release may be provided after disbursement, but no later than 12 months after the answer print is completed. As a rule, the proof of employment of funds and the audit of final costs must be conducted no later than two years after completion of the answer print.

(2) In order to determine whether the answer print was completed on the date specified in the application, the FFA is to monitor compliance with this deadline.

(3) The final cost auditor is determined by the FFA. The applicant producer bears the costs of the audit.

(4) Payment is to be refused if

- 1.** proper financing of the film project is not ensured; or
- 2.** the applicant producer has violated the principles of economical business management within the context of the financing, production or performance of the contract, rental, distribution or video distribution of a film subsidised by the FFA or the BKM.

(5) A claim for disbursement of a grant may be assigned or pledged to banks or other financial institutes solely for the purpose of interim financing.

(6) Upon request the grant may be disbursed in instalments depending on the progress of production; in this case, up to 33 per cent of the grant will be disbursed as needed at the start of shooting, in the middle of shooting, and upon completion of the rough cut, with the total not to exceed 75 per cent of the total grant. The final instalment is disbursed in accordance with subsection 1. Reasons must be provided for the request for payment in instalments. In case of grants of more than EUR 2 million, disbursement in instalments also requires the presentation of a completion bond or a guarantee in the amount of the grant approved. No guarantee pursuant to section 85 of the Film Promotion Act is allowed. In exceptional cases, payment may be disbursed on completion of the answer print without a completion bond or a guarantee, if the proof required by the FFA is presented. Disbursement in instalments may be granted only where it is guaranteed that the funding will be used without delay and no later than six weeks from the date of disbursement. The applicant producer must present proof when applying for payment in instalments that this requirement has been met. The applicant producer must present proof prior to disbursement of the first instalment that the total financing is secured.

SECTION 20 REPAYMENT

All German co-producers of the film are jointly and severally liable for repaying the grant.

IV. GRANT REQUIREMENTS FOR PROVIDERS OF PRODUCTION SERVICES (DFFF II)

CHAPTER I

Grant requirements to be satisfied by the applicant production service provider

SECTION 21 APPLICANT PRODUCTION SERVICE PROVIDER

(1) The production service provider is entitled to file the application. The company must demonstrate specialisation in and sufficient experience with services in the audio-visual sector. This is regarded as demonstrated if the applicant production service provider, as a natural or legal person or a company affiliated with the applicant service provider, provided services having a contract value of at least EUR 1 million net each within the five years prior to filing the application as a production service provider for at least two feature-length films with total production costs of at least EUR 10 million net each, or produced such a film as a producer and at the time of filing the application has sufficient specialised skilled workers at his disposal.

(2) The applicant production service provider must have his domicile or registered office in Germany, another EU member state, another EEA contracting state or Switzerland. If the applicant production service provider does not have his domicile or registered office in Germany, he must have a business establishment within Germany at the time of disbursement of the grant.

(3) If the application is filed by the subsidiary or establishment of an applicant production service provider with his registered office outside the EU, the EEA or Switzerland, then all grant requirements must be met by the applicant subsidiary or establishment.

(4) The application must contain the following information about the applicant production service provider: name, domicile or registered office, legal form and VAT identification number of the company.

(5) The production service provider may perform the service itself or delegate it to a third party.

(6) If multiple production service providers meet the grant requirements for the entire film or the same film segment, the application may be filed by only one of the production service providers. The production service providers participating in the co-production must agree on this point and submit a joint statement to this effect to the FFA when filing the application. Separate applications from different production service providers are permitted for different film segments.

(7) No undertaking which is subject to an outstanding recovery order following a previous Commission decision declaring an aid illegal and incompatible with the internal market may be granted an individual aid. Nor may undertakings in difficulties be granted financial aid.

CHAPTER II

Project-related grant requirements

SECTION 22 PROJECT-RELATED REQUIREMENTS

(1) The grant is awarded for production services to produce a feature-length film or animated film shown in cinemas in Germany.

(2) The total production costs of the feature-length film or animated film must amount to at least EUR 20 million. The German production costs of the applicant production service provider for the commissioned film or film segment must amount to at least EUR 8 million. If the production service provider files an application for a commissioned project which must pass the test of characteristics for animated films and films with virtually animated components pursuant to section 25 subsection 1 sentence 3, then in derogation from sentence 2, the German production costs of the project must amount to at least EUR 2 million. The minimum production costs referred to in sentences 1 and 2 apply only to applications submitted to the FFA in full before the expiry of these Guidelines.

The principles of economical business management according to Schedule 2 of these Guidelines apply to the applicant production service provider. Materials and services provided free or at reduced charge, deferred fees for services rendered by those involved in the production of the film are not counted when calculating the thresholds pursuant to sentences 1 and 2.

Upon application by the production service provider, pursuant to Schedule 2 no. 8 subsection 1 sentence 2, the FFA managing board may, in specially justified exceptional cases, approve a higher production service provider's fee than that provided for in Schedule 2 no. 8 subsection 1 sentence 1. The applicant production service provider is to be sent written and reasoned notification of the managing board's decision regarding the approval or refusal of a higher production service provider's fee.

(3) A grant only awarded for films of which at least one final version is produced in the German language, except for dialogue scenes where the script provides for a different language. As regards the language version of the film, a version with German subtitles suitable for cinema showing suffices. The German-language version must be submitted to the FFA prior to disbursement of the final instalment of the approved grant and at the latest after completion of the answer print and before the start of its theatrical release.

(4) If the film was produced in cooperation with a German co-producer, at least one final version of the film must be produced with German-language subtitles for people who are deaf or hard of hearing and with German-language audio description for viewers with visual impairments, in a quality which meets market requirements and is suitable for cinema screening. Derogations from this requirement are possible in justified exceptional cases upon application by the producer or the applicant production service provider. Such decision is taken by the FFA managing board. Proof of production of the barrier-free final version must be submitted to the FFA before disbursement of the final instalment of the approved grant and at the latest after completion of the answer print and before its theatrical release.

(5) Films which feature anti-constitutional or unlawful content are not eligible for funding. The same applies to films which, taking into account the dramaturgical structure, script, design, the actors' performance, animation, camera work or editing, are overall of poor quality. Further, films which are focused on pornography or the glorification of violence or which openly, seriously and inappropriately violate religious feelings are not eligible for funding. It is up to the FFA managing board to decide whether the conditions of this subsection are met.

(6) The applicant production service provider may not begin the work necessary to perform the contract (start of the measure) until the notification of grant has been received. In the case of live-action shooting, the first day of actual shooting is regarded as the start of the measure; in the case of visual effects, it is the first day of virtual shooting, or the start of the production of the digital assets needed for a large number of scenes, if this takes place before the first day of virtual shooting. The FFA may, in exceptional cases and at the request of the production service provider, decide at its duly exercised discretion and taking account of the administrative provisions issued in regard to section 44 of the Federal Budget Code to allow work to begin earlier. The application for aid is to be rejected if the applicant production service provider has started with the work to perform the contract before filing the application.

(7) During the production of the film or film segment, the Ecological Standards according to Schedule 8 must be met.

SECTION 23 MANDATORY THEATRICAL RELEASE

(1) The film must be commercially released in Germany. To that end, the film must be screened in a cinema in Germany which regularly screens films, on at least seven consecutive days in a technical format suitable for cinemas and against payment of the market rate (regular initial theatrical release). The intended theatrical release is confirmed by a statement of the producer to the applicant production service provider. This statement must be presented no later than the time of disbursement. In justified exceptional cases, at the request of the production service provider, the requirement to present the statement of the producer may be dispensed with.

(2) In specially justified exceptional cases, regular initial theatrical release may be replaced upon request by an online initial release on paid video-on-demand services, if

1. due to force majeure, the regular initial theatrical release of the film throughout Germany is not possible for a considerable period of time, and
2. the cinema industry receives a significant share of the proceeds from the exploitation of the film up to the expiry of the holdback period stipulated in section 54 subsection 2 no. 1 of the Film Promotion Act.

(3) If the film has had a regular initial theatrical release but further theatrical release throughout Germany is not possible for a considerable period of time owing to force majeure, further release may, in specially justified exceptional cases and on request, be continued on paid video-on-demand services, if the cinema industry receives a significant share of the proceeds from the exploitation of the film up to the expiry of the holdback period stipulated in section 54 subsection 2 no. 1 of the Film Promotion Act.

(4) Section 55 subsection 1 no. 1 of the Film Promotion Act remains unaffected by subsections 2 and 3.

(5) The FFA managing board decides in consultation with the BKM on requests made under subsections 2 and 3.

(6) Proof of theatrical release in Germany must be provided within one year of completion of the answer print. The FFA managing board may extend the deadline once in justified exceptional cases. The FFA managing board, in agreement with the BKM, may allow further extensions of the deadline if the regular initial theatrical release throughout Germany is not possible for a considerable period of time owing to force majeure or similar circumstances.

SECTION 24 HOLDBACK PERIODS

Part 3 Chapter 1 Division 4 of the Film Promotion Act applies accordingly, unless these Guidelines stipulate otherwise. The applicant production service provider proves that these requirements have been met by presenting a statement by the producer to that effect. In justified exceptional cases, at the request of the production service provider, the requirement to present the statement of the producer may be dispensed with. In derogation from section 24 of the Film Promotion Act, only the FFA managing board decides on the possible exceptions stipulated there. The FFA managing board makes its decisions in accordance with Part 3 Chapter 1 Division 4 of the Film Promotion Act within these Guidelines at its own discretion after due consideration. The same applies insofar as the provisions of Part 3 Chapter 1 Division 4 of the Film Promotion Act do not provide for discretion.

SECTION 25 TEST OF CULTURAL CHARACTERISTICS

(1) A test of characteristics is conducted in order to ensure the cultural objectives of the measure. A grant is only awarded if the film or film segment obtains the relevant minimum number of points in the test of characteristics for feature and animated films and films with virtually animated components. The film must pass the test of characteristics for animated films and films with virtually animated components (Schedule 5) if at least 50 per cent of the German production costs are directly related to the test of characteristics for animated films and films with virtually animated components. Otherwise the film must pass the test of characteristics for feature films (Schedule 3).

(2) In order to ensure the cultural character, feature films must satisfy at least four criteria in the category “Cultural Content” (A-Block no. 1). Animated films and films with virtually animated components must satisfy at least two criteria in the category “Cultural Content” (A-Block no. 1).

(3) In order to qualify for a grant, a feature film must obtain at least 48 points from both categories and an animated film and a film with virtually animated components at least 42 points from both categories.

(4) As a rule, the applicant production service provider should take into account ecological concerns in the context of the film or series production. For this purpose, he may at the time of filing the application submit the declaration of commitment found in Schedule 8 or one that goes even further, committing to produce the film in an environmentally friendly and resource-efficient way. The declaration of commitment must include a carbon footprint audit which was compiled using a suitable, scientifically recognised carbon footprint calculator. If no such declaration of commitment is submitted, the total score calculated pursuant to Schedules 3 and 5 for the category “Production” will be reduced by 10 points for feature and animated films and films with virtually animated components.

SECTION 26 ARCHIVING

(1) If the film was produced in cooperation with a German co-producer, the notification of grant will be issued only on the condition that a technically flawless print of the film is provided in an archivable format to the German Federal Film Archive free of charge within 12 months of the first public showing of the film or, should the theatrical release run for longer than 12 months, after the theatrical release, unless this obligation has already been otherwise met. Further particulars are determined by the provisions of the German Federal Archives.

(2) Even if the film was not produced in cooperation with a German co-producer, a copy is to be provided free of charge to the FFA.

(3) If a barrier-free version of the film must be produced in accordance with the provisions of these Guidelines, then subsections 1 and 2 also apply to the barrier-free version.

SECTION 26A OBLIGATION TO PROVIDE INFORMATION

The current version of the DFFF logo must be shown in the opening or closing credits of the funded film and on all advertising media. The DFFF logo should be the same size as the logos of other funding sources. When used on websites, the DFFF logo must be linked to the DFFF website (<https://www.ffa.de/dfff-en.html>). In addition, the logo of the Federal Government Commissioner for Culture and the Media must be faded in or shown in a clearly visible place in line with the Federal Government's style guide.

CHAPTER III

Grants for providers of production services

SECTION 27 AMOUNT OF A GRANT; PRODUCTION COSTS ELIGIBLE FOR A GRANT

(1) The grant consists of up to 30 per cent of the German production costs of the applicant production service provider for the commissioned film or film segment, up to a maximum of EUR 25 million per film.

(2) The basis for calculating the amount of the grant is the German production costs, but not more than 80 per cent of the total production costs.

(3) The following costs do not qualify as German production costs eligible for a grant when calculating the amount of the grant:

- Pre-production costs (according to Schedule 2 no. 5)
- Costs for rights to content and rights to other existing works (incl. existing music), except royalties for the script on which the film is based, up to 3 per cent of the German production costs but not exceeding EUR 150,000
- Costs for legal and tax advice,
- Insurance costs
- Travel and transport costs for performers
- Financing costs
- Actors' fees insofar as they exceed 15 per cent of the German production costs
- Contingency fund unless it can be dissolved in the final cost report in favour of goods and services eligible for a grant
- Materials and services provided free or at reduced charge, deferred fees for services rendered by those involved in the production of the film
- Costs for shooting and other work done abroad, as far as these do not meet the requirements of subsection 5

If the applicant production service provider bills the customer according to so-called person-days, the person-days will be recognised as German production costs as long as they meet the conditions of section 4 subsections 4 and 5.

(4) As a rule, costs may be taken into account as German production costs eligible for a grant only if they were incurred during the funding period specified by the FFA in the notification of grant. Costs arising within the period of one year prior to submitting an application until the start of the funding period and that may be recognised as German production costs eligible for a grant may only be taken into account as eligible for a grant if and as far as they are necessary for submitting an application and a corresponding provision of budgetary law allows for recognition.

(5) If compelling dramaturgical requirements in the script call for shooting on location which cannot take place in Germany or only at an unreasonably high cost, then the on-location shooting costs incurred abroad for these reasons qualify as German production costs subject to the following restrictions:

1. The costs incurred must satisfy the requirements under section 4 subsections 4 and 5,
2. at least 75 per cent of the German production costs for which the product service provider is responsible are incurred without regard to the costs of shooting abroad, and
3. no more than 20 per cent of the shooting abroad for which the production service provider is responsible are recognised as German production costs eligible for a grant.

(6) As a general rule, a subsequent overrun of eligible German production costs specified in the application will not be taken into consideration. If the German production costs rise owing to force majeure or similar circumstances, the FFA managing board may, in justified exceptional cases, on request by the applicant production service provider and in agreement with the BKM, agree to make a subsequent increase of the grant (subsequent appropriation) of up to the maximum percentage grant amount permissible under subsection 1. This subsequent appropriation is limited to a maximum of 30 per cent of the grant originally awarded. The basis for calculating the amount of the subsequent appropriation is the amount of the eligible German production costs additionally incurred. In general, the grant may be cumulated with other federal or state funding programmes. In this case, it is necessary to ensure that the funding serves different purposes, i.e. that eligible costs can be separated from each other. The subsequent appropriation is paid in instalments, in agreement with the BKM, taking into account the circumstances of the individual case. The applicant production service provider must file the written application for an subsequent appropriation as early as possible, stating the reasons for and amount of the additional costs incurred in a substantiated way.

(7) Applications will not be accepted if other public film subsidies from the federal budget are used.

(8) The aid is not to be cumulated with other state aid – including aid as defined in Commission Regulation (EU) 2023/2831 in the version of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L of 15 December 2023) unless the other aid measure concerns different identifiable eligible costs, or if the highest aid intensity applicable to such aid measures or the highest aid amount applicable to such aid measures is not exceeded.

(9) The aid intensity of all the aid granted to a project is to be limited to 50 per cent of the respective total production costs. In the case of cross-border projects financed by more than one EU Member State and involving producers from more than one Member State, the aid intensity may be up to 60 per cent of the respective total production costs. These ceilings do not apply to difficult audio-visual works and co-productions involving countries that are included on the list of the OECD Development Assistance Committee.

SECTION 28 FILING OF APPLICATIONS AND APPLICATION PROCEDURE

(1) The application must be submitted to the FFA in digital form; detailed information about submitting applications is published on the FFA website.

(2) Applications must be filed at least six weeks before the start of the work to be carried out. The FFA managing board may, in justified exceptional cases, agree to exceptions to this deadline. No applications may be submitted after the start of the work to be carried out. The applicant production service provider must present at least a preliminary contract for work or services at the time of filing the application.

(3) The application must contain in digital form the planned date of completion of the answer print of the entire film, the planned date of completion of the film segment and the information and documents stipulated by the FFA in the implementing provisions to these Guidelines. In particular, the application must demonstrate that the grant requirements have been met. The planned date of completion of the answer print of the entire film and the aid intensity must be verified by a statement from the producer. This statement must include the amount of total production costs and all aid received. If it is not possible to present proof at the time of filing the application, the fact that the grant requirements have been met must be established with sufficient probability. Section 294 of the Code of Civil Procedure applies accordingly. In this case the proof must be submitted by the date on which the grant is disbursed. If an invoice is required as proof, it must be issued in the name of the applicant

production service provider. Insofar as documents do not exist in a German-language original version, the FFA may require the applicant production service provider to obtain a translation of the documents by a generally sworn translator, or a German-language summary of the main content required to process the application; the accuracy and completeness of the summary is to be confirmed by the applicant production service provider.

(4) Applications will be processed by the FFA in the order in which they are received in full. Applications received during the hours of business of the FFA on the same calendar day will all be regarded as having been received at the same time.

(5) If the application is incomplete or does not satisfy the requirements as to sufficient probability or proof that the grant requirements have been met, or if other information or documents are missing, the FFA may allow the applicant production service provider a grace period in order to complete the application. If the application is not completed by the applicant production service provider within the grace period granted, it is to be rejected. An applicant production service provider may submit no more than two applications for the same project.

(6) All application documents become the property of the BKM and remain in the possession of the FFA.

SECTION 29 APPROVAL

(1) The grant is awarded by way of written notification. The date on which the completed application with the required documents is submitted determines the order in which grants are approved pursuant to this chapter. Several completed applications submitted on the same day will be treated as applications received at the same time.

(2) An application may be approved only if the applicant production service provider has demonstrated by means of a statement from the producer that 65 per cent of the project's financing is secured.

(3) The FFA specifies the funding period in the notification of grant.

(4) The approval of a grant is based on the (preliminary) contract for work or services presented at the time of filing the application. At the request of the applicant production service provider, the FFA may provide a non-binding prospect of funding, i.e. without legal grant to the funding, if this is necessary to award the contract for the project.

(5) The General Auxiliary Conditions for Grants for the Promotion of Projects (*Allgemeine Nebenbestimmungen für Zuwendungen zur Projektförderung, ANBest-P*) are an integral part of the notification of grant. In derogation from no. 3.1 of the ANBest-P in conjunction with administrative provision no. 5.3.3. regarding section 44 of the Federal Budget Code, the ceiling for appropriations governed by procurement law is raised to EUR 27 million. The appropriation is composed of all funds allocated by the Federal Government and the Länder. The applicant production service provider is obligated to award contracts only to competent and efficient vendors in line with principles of competition and under cost-effective conditions. At least three bids are to be collected, as far as possible. The procedure and results must be documented. The FFA may ensure that the grant requirements are met by including ancillary terms in the notification of grant.

(6) The notification of grant is subject to revocation (section 36 subsection 2 no. 3 of the Administrative Procedure Act) of the following number 1 and to the conditions subsequent (section 36 subsection 2 no. 2 of the Administrative Procedure Act) of the following numbers 2 and 3:

1. the applicant production service provider must provide proof, within five months of receiving the notification of grant, of the unconditional assignment to produce the project along with a statement from the producer that the total financing of the film is secured. In accordance with sections 31 and 41 subsection 2 of the Administrative Procedure Act, the period starts on the third day after posting the proof or after electronic sending of the notification;

2. Work on filming or animation must begin within six months of receipt of the notification of grant.
3. The film or, if the complete film is not the responsibility of the production service provider, the film segment for which the production service provider is responsible, must be completed by the date specified in the application, at the latest within the period stipulated in subsection 7 as regards exceptional cases.

(7) Upon application by the applicant production service provider, the deadlines referred to in subsection 6 nos. 1 to 3 may be extended, based on the exercise of due discretion:

1. The FFA may extend the deadline under subsection 6 no. 1 once by one month.
2. The FFA may extend the deadline under subsection 6 no. 2 once.
3. The FFA may extend the deadline under subsection 6 no. 3 once. In particularly exceptional cases, the FFA managing board may allow a second extension of this deadline.
4. If it is essential to extend the deadline on account of force majeure or similar circumstances, the FFA managing board may, in duly justified exceptional cases and in agreement with the BKM, allow further extensions of the deadlines referred to in subsection 6 nos. 1 to 3.

Reasons must be given for any application to extend a deadline.

SECTION 30 DISBURSEMENT

(1) The grant is disbursed to the applicant production service provider after the answer print has been completed at the time stated in the application, and after presenting proof of employment of funds and an audit of the final costs. Proof of actual theatrical release may be provided after disbursement, but no later than 12 months after the answer print is completed. As a rule, the proof of employment of funds and the audit of final costs is to be conducted no later than three years after completion of the answer print.

(2) In order to determine whether the answer print was completed on the date specified in the application, the FFA is to monitor compliance with this deadline.

(3) The final cost auditor will be determined by the FFA. The applicant production service provider bears the costs of the audit.

(4) Payment is to be refused if

1. proper financing of the film project has not been confirmed by the producer;
2. proper financing of the work to perform the contract is not secured, or
3. the applicant production service provider has violated the principles of economical business management within the context of the financing, production or performance of the contract, rental, distribution or video distribution of a film subsidised by the FFA or the BKM.

(5) A claim for disbursement of a grant may be assigned or pledged to banks or other financial institutes solely for the purpose of interim financing.

(6) The grant may be disbursed in instalments upon request. In case of disbursement in instalments, up to four instalments will be paid depending on progress of the project. Reasons must be given for the request. In case of grants of more than EUR 2 million, payment in instalments also requires the presentation of a completion bond or a guarantee in the amount of the grant approved. No guarantee pursuant to section 85 of the Film Promotion Act is allowed. Disbursement in instalments may be granted only where it is guaranteed that the funding will be used without delay and no later than six weeks from the date of disbursement. The applicant production service provider must present proof when applying for payment in instalments that this requirement has been met. The applicant production service provider must present proof prior to disbursement of the first instalment that the total financing is secured.

SECTION 31 REPAYMENT

The applicant production service provider is liable for the repayment of the grant. This applies also if a third party was assigned to perform the work, or if the repayment results from the fact that, contrary to the assurance of the producer,

- the total financing of the film is not secured or the limits of aid intensity allowed are exceeded,
- the answer print of the film was not completed by the date specified in the application,
- the film did not have a theatrical release,
- the funded segment was not used in the film, or
- the holdback periods pursuant to the Film Promotion Act were not observed when showing the film.

V. INFORMATION AND PUBLICATION

SECTION 32 INFORMATION

Anyone who applies for financial aid in accordance with these Guidelines must provide the FFA with the information necessary to carry out these Guidelines and present the relevant documents. The information is provided on the basis of and in accordance with the FFA rules.

SECTION 33 PROCESSING OF DATA

(1) The FFA processes data in compliance with the general provisions of data protection law.

(2) Please note that, in particular, the information contained in Article 9 of the General Block Exemption Regulation concerning individual aid in excess of EUR 500,000 will be published.

VI. EVALUATION

SECTION 34 EVALUATION OF THE MEASURE

(1) The measure according to these Guidelines is evaluated by a committee consisting of representatives of the BKM, of the Federal Ministry of Finance and of the Federal Ministry for Economic Affairs and Energy. Other experts who are not entitled to vote may be consulted. The evaluation is conducted on the basis of an agreed evaluation plan.

(2) The evaluation committee may recommend modifications of the Guidelines at any time.

(3) For the purpose of evaluation, the FFA may require the applicant to provide information in compliance with the general provisions of data protection law in order to establish an adequate basis of information and data for the evaluation.

(4) Funding granted pursuant to these Guidelines may, in individual cases, be monitored by the European Commission.

VII. FINAL PROVISIONS

SECTION 35 COMPETENCE OF THE SUPREME FEDERAL AUTHORITY FOR CULTURE AND THE MEDIA

The abbreviation BKM in these Guidelines shall designate the supreme federal authority competent for culture and the media.

SECTION 36 IMPLEMENTING PROVISIONS

With the consent of the BKM, the FFA may issue the provisions required to implement the Guidelines.

SECTION 37 TRANSITIONAL PROVISION

Applications received by the FFA before these Guidelines enter into force are decided in accordance with the Guidelines applicable at the time the application is complete. In derogation from sentence 1, if the application is complete after these Guidelines enter into force, but filming on the film that is the subject of the application began before 1 February 2025, or if the application is complete before 1 February 2025, then section 16 subsection 1 and section 27 subsection 1 of the BKM Guidelines “Incentive to Strengthen the Film Industry in Germany” in the version of 5 July 2024 apply.

SECTION 38 ENTRY INTO FORCE, EXPIRY

(1) These Guidelines enter into force on 1 January 2025 and expire on 31 December 2025.

(2) The Guidelines Issued by the Federal Government Commissioner for Culture and the Media, “Incentive to Strengthen the Film Industry in Germany”, in the version of 5 July 2024 expire when the present Guidelines enter into force.

Berlin, 28 March 2025

The Federal Government Commissioner
for Culture and the Media
For the Federal Government Commissioner for Culture and the Media

signed Dr Frank Castenholz



SCHEDULE 1:

PRINCIPLES OF ECONOMICAL BUSINESS MANAGEMENT FOR MEASURES PURSUANT TO PART III (DFFF I)

1. Principles of economical business management

Applications are to comply with the principles of economical business management in accordance with the following provisions.

2. Production costs

The total production costs of a project include the types of costs listed in Overview A below. Production costs are calculated exclusive of VAT (deductible input VAT) (net principle).

Overview A of production costs

- 1.** Pre-production costs
- 2.** Rights and manuscripts
- 3.** Salaries/fees
 - Production staff
 - Director's staff
 - Equipment staff
 - Other staff, including staff for rigging and animation set-up, storyboarding, character conception and modelling, set conception and modelling, exposure sheets, previsualisation, rotoscoping, tracking, motion capture, layout, animation, set construction, tracing, opaquing, colourisation, lighting and rendering, compositing, visual effects, image and sound editing, mixing.
 - Actors
 - Composer / musicians / voiceovers / narrators
 - Extra costs salaries
- 4.** Set
- 5.** Equipment and technology
- 6.** Travel and transport expenses
- 7.** Film material and editing
- 8.** Final completion (including additional costs for production of the German version of the film and foreign-language versions of the film, including the answer print)
- 9.** Insurance costs
- 10.** General project-related costs (see Overview B below)
- 11.** Overhead expenses
- 12.** Contingency fund
- 13.** Trustee's fee

The producer's general project-related costs include the individual kinds of costs listed in Overview B below, provided such costs are not already included in the overhead expenses.

Overview B of general project-related costs

- 1.** Minor expenses
- 2.** FSK (Voluntary Self-Control Association) / FBW (Film Rating Board) fees if included in the production costs (usually initial distribution costs)
- 3.** Production press
- 4.** Telephone, postage

5. Rent for office space
6. Office material
7. Entertainment expenses
8. Agent fees
9. Reproductions
10. Translations
11. Office equipment (rental)
12. Financing costs
13. Legal and tax advice
14. Costs for ecological adviser
15. Charge for German Films
16. Child-care costs¹¹

3. Overhead costs for feature-length films

(1) The producer's overhead costs include the individual kinds of costs listed in Overview C below. These costs are not to be stated as production costs (nos. 1–10 of Overview A).

(2) In keeping with the principles of economical business management, the overhead costs incurred by the producer for the production of feature-length films will be recognised at the rate of 10% up to a limit of EUR 5 million of the production costs (nos. 1–10 of Overview A). In the case of international co-productions, the calculations are based on the German financing share.

(3) If the calculated production costs exceed EUR 5 million, the overhead costs incurred by the producer will be recognised at the rate of 5% of the amount exceeding EUR 5 million.

(4) The overhead costs are capped at EUR 650,000. In the case of international co-productions, the calculations are based on the German financing share.

Overview C of individual kinds of costs included among the overhead costs

1. Expenditure for furnishing and maintaining permanent business premises
2. General business needs (writing materials, etc.)
3. General postal and telephone charges
4. General personnel costs insofar as they do not concern the specific project
5. Trade tax on income and capital
6. Expenditure for general legal, tax and foreign exchange advice and for auditing of balance sheets
7. Interest and bank charges for general loans
8. General expenditure for representation activities
9. Travel expenses and expenditures within the context of the producer's normal business unless incurred for a certain project.

4. Financing costs

In the costs estimate, the financing costs to be proved may generally be stated with the interest rate (including ancillary costs and commitment commission) of the German syndicate banks granting the film loans, but on no account more than 8% higher than the applicable base interest rate of the European Central Bank. No financing costs for the producer's own funds may be taken into account; these also include funds made available to the producer by affiliated companies within the meaning of section 15 of the Stock Corporation Act (Aktiengesetz, AktG) unless these funds are demonstrably based on an existing bank loan of the affiliated company which gives out the loaned funds, and the interest charges are only applied within affiliated companies on the same or better conditions.

¹¹ At standard market rates.

5. Contingency fund

A contingency fund of up to 8% of the total amount of calculated kinds of costs according to nos. 1–10 (production costs) in Overview A may be stated in the costs estimate.

6. Pre-production costs

The pre-production costs not eligible for recognition include costs for location scouting, underlying material/script development, costs for test shooting and preliminary negotiations, in each case insofar as they concern the general project development.

7. Travel expenses

In keeping with the principles of economical business management, the set allowances for travel expenses are not to exceed collective agreements or provisions under tax law. Justified exceptions are permitted for top names.

8. Rebates, discounts, bonuses, sale or other disposal of materials

(1) Rebates and discounts are to be deducted from the relevant cost items in the final cost report. Discounts obtained through the producer's own additional contributions outside the film project do not need to be deducted from the relevant cost items.

(2) Rebates and discounts are to be deducted from the costs for prints of the films subsidised. However, discounts and turnover-related bonuses obtained through additional own contributions outside the relevant procurement of prints do not have to be deducted.

(3) Income from the sale or other disposal of items (objects and rights) included among the production costs is to be stated as reducing the production costs.

9. Producer's fee, special provisions on producer's own contribution and multiple participation

(1) For projects with total production costs of up to EUR 300,000, the producer's fee is a maximum of EUR 15,000; for projects with total production costs of more than EUR 300,000 and up to EUR 500,000, the producer's fee is a maximum of EUR 25,000; and for projects with total production costs of more than EUR 500,000, the producer's fee is up to 5% of the total production costs, exclusive of the producer's fee, up to a maximum of EUR 250,000. In special, justified exceptional cases the FFA managing board may permit exceptions. The recipient of the producer's fee is the natural person responsible for the creative tasks of the producer relating to production of the film.

(2) If the producer or co-producer makes own contributions, such contributions may only be stated up to the prices customary on the market. If the contribution is in kind and list prices are available, these prices are to be reduced by 25%.

(3) If the producer or the co-producer or the proprietor, exclusive or majority shareholder of the production company (individually owned company, partnership or company limited by shares) is identical to the director, the fee for the director – except for the documentary film sector up to a threshold of EUR 1.5 million – amounts to a maximum of 4% of the total budget. The FFA managing board may allow exceptions on request if they are justified by the film's especially low production costs and the effort needed to carry out the project.

(4) If the producer or the co-producer or the proprietor, exclusive or majority shareholder of the production company (individually owned company, partnership or company limited by shares) is identical to the line producer or a person in a comparable role (e.g. production executive or financial controller), the fee for the line producer amounts to a maximum of 2.7% of the total production costs (not including the fee), not to exceed EUR 270,000.

(5) In the event of other multiple participation on the part of the producer within the production process of a film, the fee rates are to be reduced by 20%. No additional fees can be paid for multiple participation in the form of advising (such as dramaturgical advising or commercial advising).

SCHEDULE 2:

PRINCIPLES OF ECONOMICAL BUSINESS MANAGEMENT FOR MEASURES PURSUANT TO PART IV (DFFF II)

1. Principles of economical business management

Applications are to comply with the principles of economical business management in accordance with the following provisions.

2. Production costs

The production costs of a film include the kinds of costs listed in Overview A below, insofar as they are the responsibility of the production services provider. Production costs are calculated exclusive of VAT (deductible input VAT) (net principle).

Overview A of production costs

- 1.** Pre-production costs
- 2.** Rights and manuscripts
- 3.** Salaries/fees
 - Production staff
 - Director's staff
 - Equipment staff
 - Other staff, including staff for rigging and animation set-up, storyboarding, character conception and modelling, set conception and modelling, exposure sheets, pre-visualisation, rotoscoping, tracking, motion capture, layout, animation, set construction, tracing, opaquing, colourisation, lighting and rendering, compositing, visual effects, image and sound editing, mixing.
 - Actors
 - Composer / musicians / voiceovers / narrators
 - Extra costs salaries
- 4.** Set
- 5.** Equipment and technology
- 6.** Travel and transport expenses
- 7.** Film material and editing
- 8.** Final completion (including additional costs for production of the German version of the film and foreign-language versions of the film, including the answer print)
- 9.** Insurance costs
- 10.** General project-related costs (see Overview B below)
- 11.** Contingency fund
- 12.** Trustee's fee

The general project-related costs of the production service provider include the individual kinds of costs listed in Overview B below.

Overview B of general project-related costs

- 1.** Minor expenses
- 2.** FSK (Voluntary Self-Control Association) / FBW (Film Rating Board) fees if included in the production costs (usually initial distribution costs)
- 3.** Production press
- 4.** Telephone, postage
- 5.** Rent for office space
- 6.** Office material

- 7. Entertainment expenses
- 8. Agent fees
- 9. Reproductions
- 10. Translations
- 11. Office equipment (rental)
- 12. Financing costs
- 13. Legal and tax advice
- 14. Costs for ecological adviser
- 15. Child-care costs²

3. Financing costs

In the costs estimate, the financing costs to be proved may generally be stated with the interest rate (including ancillary costs and commitment commission) of the German syndicate banks granting the film loans, but on no account more than 8% above the relevant basic interest rate in force of the European Central Bank. No financing costs for the own funds of the production service provider may be stated.

4. Contingency fund

A contingency fund of up to 8% of the total amount of calculated kinds of costs according to nos. 1–10 (production costs) in Overview A can be stated in the costs estimate.

5. Pre-production costs

The pre-production costs not eligible for recognition include costs for location scouting, underlying material/script development, costs for test shooting and preliminary negotiations, in each case in-sofar as they concern the general project development.

6. Travel expenses

In keeping with the principles of economical business management, the set allowances for travel expenses are not to exceed collective agreements or provisions under tax law. Justified exceptions are permitted for top names.

7. Rebates, discounts, bonuses, sale or other disposal of materials

(1) Rebates and discounts are to be deducted from the relevant cost items in the final cost report. Discounts obtained through the producer's own additional contributions outside the project do not need to be deducted from the relevant cost items.

(2) Rebates and discounts are to be deducted from the costs for prints of the films subsidised. However, discounts and turnover-related bonuses obtained through additional own contributions outside the relevant procurement of prints do not have to be deducted.

(3) Income from the sale or other disposal of items (objects and rights) included among the production costs are to be stated as reducing the production costs.

² At standard market rates.

8. Fee of the production service provider, special provisions on production service provider's own contributions and multiple participation

(1) The production service provider's fee amounts to a maximum of 5% of the production costs of the project for which the production service provider is responsible, exclusive of the production service provider's fee, up to a maximum of EUR 350,000. In special, justified exceptional cases the FFA managing board may permit exceptions. The recipient of the production service provider's fee is the natural person responsible for providing the production services.

(2) If the production service provider makes own contributions, such contributions may only be stated up to the prices customary on the market. If the contribution is in kind and list prices are available, these prices are to be reduced by 25%.

(3) If the natural person responsible for providing the production services or the proprietor, exclusive or majority shareholder of the production service provider (individually owned company, partnership or company limited by shares) is identical to the producer, the fee for the producer amounts to a maximum of 5% of the total production costs (exclusive of the fee), not to exceed the amounts given in subsection 1 sentence 2. In this case, no additional fee for the production service provider may be claimed.

(4) If the natural person responsible for providing the production services or the proprietor, exclusive or majority shareholder of the production service provider (individually owned company, partnership or company limited by shares) is identical to the director, the fee for the director amounts to a maximum of 4% of the total production costs of the project for which the production service provider is responsible (exclusive of the fee).

(5) If the natural person responsible for providing the production services or the proprietor, exclusive or majority shareholder of the production service provider (individually owned company, partnership or company limited by shares) is identical to the line producer or a person in a comparable role (e.g. production executive or financial controller), the fee for the line producer amounts to a maximum of 2.7% of the total production costs of the project for which the production service provider is responsible (exclusive of the fee), not to exceed EUR 270,000.

(6) Other multiple participation by the natural person responsible for providing the production services within the production process of a film is to be subject to a 20% reduction in the fee rates.

SCHEDULE 3:

TEST OF CHARACTERISTICS FOR FEATURE FILMS

The information “from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom of Great Britain and Northern Ireland (United Kingdom)³” refers to the nationality of natural persons or their place of residence⁴ and centre of their lives in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom. At least four criteria from the “Cultural Content” category must be met. Only full points will be awarded.

A-Block: Cultural Content and Creative Talents

1. Cultural Content

	Points
Film (fictional content/underlying material) is set mainly in Germany or in the German cultural area ⁵ or in a fictional place	2
uses German motifs ⁶ (i.e. motifs that can be attributed to Germany, e.g. German architecture or landscapes, such as “Black Forest cottage”) or fictional motifs	3
uses German locations ⁷	3
Lead character(s) of the underlying material is/was German ⁸ or is associated with the German-speaking or German cultural area	2
Story/material is German ⁹	2
Storyline/underlying material is based on literary material traditional fairy tales, myths or legends	2
Storyline/underlying material deals with artists or an art genre (e.g. composition, dance, performance, painting, architecture, Pop Art, comics)	2
A contemporary artist from a field other than film-making makes a significant contribution to the film	2
Storyline/underlying material is based on a historical figure (e.g. Gandhi) or a fictional figure familiar from cultural history (e.g. Hercules, Siegfried, Hansel and Gretel)	2
Storyline/underlying material refers to a historical event in world history or a similar fictional event (e.g. the conquest of Troy)	2
Storyline/underlying material deals with religious or philosophical beliefs or issues of current social or cultural relevance (e.g. Muslim headscarf, refugees, etc.), addresses different ways of life (e.g. nomads) or deals with scientific topics or natural phenomena	2
One final version is in German	3
Film is set mainly in another EU Member State, another EEA contracting state, Switzerland or the United Kingdom	1
Film uses other European motifs (in the absence of German motifs or locations) or European motifs ¹⁰ (in addition to German motifs or locations)	1
Lead character of the underlying material from another EU Member State, another EEA contracting state, Switzerland or the United Kingdom	1
Total	30

2. Creative Talents

Points

Film artists of international standing from Germany in an important role – “German stars” (meaning the persons listed below who have participated in a film which was entered in a festival according to section 64 subsection 2 of the Film Promotion Act in conjunction with the Annex to the D.1 Guideline or won an award as defined in section 64 subsection 2 of the Film Promotion Act in conjunction with the Annex to the D.1 Guideline)

4

Film artists of international standing from another EU Member State, another EEA contracting state, Switzerland or the United Kingdom – “European stars” (meaning the persons listed below who have participated in a film which was entered in a festival according to section 64 subsection 2 of the Film Promotion Act in conjunction with the Annex to the D.1 Guideline or won an award as defined in section 64 subsection 2 of the Film Promotion Act in conjunction with the Annex to the D.1 Guideline)

2

Actors from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom (unless already covered under the “stars” definition)

(max. 3 points)

3

1. leading actor (1 point) or

2. leading actor (1 point) or

two supporting actors (1 point)

Creative talents from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom in a position of responsibility who, within the ten years before the start of shooting creatively contributed to a film made in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom or shot with the participation of a producer from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom, or creative talents from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom making their first film:

Director

3

Scriptwriter

3

(Co-)producer (natural person) or line producer

3

Composer

2

Director of Photography

2

Editor

2

Costume designer / lead animation artist

1

Make-up artist / lead FX artist

1

Sound / sound designer

1

Production designer / environment / digital matte painting artist

1

Art director / lead shading / texturing artist

1

³ The recognition of contributors from the United Kingdom under Schedules 3–7 is based on the principle of reciprocity, i.e. the application of comparable mechanisms in Germany and the United Kingdom.

⁴ A place of residence is where somebody has a residence in circumstances which indicate that the person will keep and use the residence for his or her personal use.

⁵ The German cultural area includes German-speaking areas, formerly German-speaking areas and areas in which a German minority lives.

⁶ Motifs that are clearly German, no matter where they are shot (Frankfurt’s Renaissance City Hall, Reeperbahn in Hamburg, German Reichstag building in Berlin). The motif is the described scene of the action, to lead the viewer’s imagination in a certain direction.

⁷ German locations are those actually shot in Germany (a studio is not a location as referred to in these Guidelines. As opposed to a motif, the location is the place where imagination is transposed into a work of film)

⁸ The lead character is German in the sense of the test of characteristics if he/she is or is presumably a German national or (presumably) lives permanently in Germany.

⁹ The storyline/underlying material is German if it originated from a German-speaking author or from an author who lives permanently in Germany, or if it concerns issues relevant to Germany.

¹⁰ Motifs that are clearly European, no matter where they are shot. The motif is the described scene of the action, to lead the viewer’s imagination in a certain direction.

	Points
Lead Compositing Artist	1
VFX producer	2
VFX supervisor	2
Post-production supervisor	1
Total	35

A-Block total	65
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B-Block: Production¹¹

Location shooting or studio shooting in Germany	Points
(at least 50% of the total costs of shooting (= studio and location) and at least 70% of the total costs of any studio shooting spent in Germany)	12
(at least 25% of the total costs of shooting (= studio and location) and at least 70% of the total costs of any studio shooting spent in Germany)	(6)
If a real shoot is done in Germany for which points can be acquired based on the above requirements regarding location or studio shooting in Germany, the following applies: 25% of digital effects (VFX) in Germany, based on the overall cost of digital effects (VFX): 1 point	max. 4
If no real shoot is done in Germany or a real shoot does not accrue points based on the above requirements regarding location or studio shooting in Germany, and either the VFX budget spent in Germany amounts to at least EUR 2 million and at least 20% of the total VFX budget, or 80% of the total VFX budget is spent in Germany	8
At least 25% of special effects (SFX) in Germany, based on the overall cost of special effects (SFX): 1 point	max. 4
80% of music recording in Germany	2
80% of sound editing and mixing in Germany	2
80% of laboratory work up to answer print in Germany	1
80% of post-production during shooting of the film in Germany	3
80% of final editing in Germany	3
Total	31

A- / B-Block total	96
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At least 48 out of 96 points from both categories are required

¹¹ In case of financial aid pursuant to Part IV, the percentages refer to the share of the production service provider filing the application in the project.

SCHEDULE 4:

TEST OF CHARACTERISTICS FOR DOCUMENTARY FILMS

The information “from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom” refers to the nationality of natural persons or their place of residence¹² and centre of their lives in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom. At least two criteria from the “Cultural Content” category must be met. Only full points will be awarded.

A-Block: Cultural Content and Creative Talents

1. Cultural Content	Points
Film mainly deals with or is set in Germany or the German cultural and language area ¹³ or with issues relating to Germany	4
Lead character(s) is/was German ¹⁴ or is associated with the German language or cultural area	4
Film is shot in original German version or final version is in German	2
Film deals with artists or an art genre (e.g. composition, dance, performance, painting, architecture, Pop Art, comics)	1
Film focuses on a significant historical or contemporary figure	1
Film deals with an event in world history	1
Film deals with ways of life of people/minorities (e.g. material about nomads)	2
Storyline/underlying material deals with religious or philosophical issues or issues of current social or cultural relevance (e.g. discrimination, drugs, refugees, etc.)	2
Film deals with scientific topics or natural phenomenon	2
Total	19

¹² A place of residence is where somebody has a residence in circumstances which indicate that the person will keep and use the residence for his or her personal use.

¹³ The German cultural area includes German-speaking areas, formerly German-speaking areas and areas in which a German minority lives.

¹⁴ The lead character is German in the sense of the test of characteristics if he or she is a German national or lives permanently in Germany.

2. Creative Talents

Creative talents from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom in a position of responsibility who, within the ten years before the start of shooting creatively contributed to a film made in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom or shot with the participation of a producer from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom, or creative talents from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom making their first film:

	Points
Director	5
Producer	3
Author	3
Camera team	3
Editor	3
Composer	2
Sound/music design	1
Total	20

A-Block total	39
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B-Block: Production

	Points
Location or studio shooting in Germany (at least 50% of the total costs of shooting spent in Germany) otherwise 1 point for each 10%	5
80% of digital effects in Germany	1
80% of music recording in Germany (50% = 1 point)	2
80% of sound editing and mixing in Germany (50% = 1 point)	2
80% of final picture editing in Germany (50% = 1 point)	2
80% of laboratory work up to answer print in Germany	1
Total	13

A-/ B-Block total	52
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At least 27 out of 52 points from both categories are required

SCHEDULE 5:

TEST OF CHARACTERISTICS FOR ANIMATED FILMS AND FILMS WITH VIRTUALLY ANIMATED COMPONENTS

The information “from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom” refers to the nationality of natural persons or their place of residence¹⁵ and centre of their lives in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom. At least two criteria from the “Cultural Content” category must be met. Only full points will be awarded.

A-Block: Cultural Content and Creative Talents

1. Cultural Content

	Points
Lead character was/is German ¹⁶ or is associated with the German cultural or language area ¹⁷	2
Storyline/underlying material is German or originates from the German language or cultural area ¹⁸	4
At least 50% of the story/material takes place in reality or virtually in Germany or another EU Member State, another EEA contracting state, Switzerland or the United Kingdom or in a place attributed to Germany or another EU Member State, another EEA contracting state, Switzerland or the United Kingdom or a fictional place	2
A final version is in German	2
Storyline is intended and suitable as children's or youth film	3
Storyline/underlying material is based on literary material or is derived from traditional fairy tales/myths or legends	2
Story/material is based on a historical figure (e.g. Gandhi) or a fictional figure familiar from cultural history (e.g. Hercules, Siegfried, Hansel and Gretel) or on a historical event in world history or a similar fictional event (e.g. the conquest of Troy)	4
Film deals with artists or an art genre (e.g. composition, dance, performance, painting, architecture, Pop Art, comics), or a contemporary artist from a field other than film-making makes a significant contribution to the film	4
Storyline/underlying material deals with religious or philosophical beliefs or issues of current social or cultural relevance (e.g. Muslim headscarf, refugees, etc.), addresses different ways of life (e.g. nomads) or deals with scientific issues or natural phenomena	2
Total	25

¹⁵ A place of residence is where somebody has a residence in circumstances which indicate that the person will keep and use the residence for his or her personal use.

¹⁶ The main character is German in the sense of the test of characteristics if he/she is or presumably is a German national or (presumably) lives permanently in Germany.

¹⁷ The German cultural area includes German-speaking areas, formerly German-speaking areas and areas in which a German minority lives.

¹⁸ The German cultural area includes German-speaking areas, formerly German-speaking areas and areas in which a German minority lives.

2. Creative Talents

Creative talents from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom in a position of responsibility who, within the ten years before the start of shooting creatively contributed to a film made in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom or shot with the participation of a producer from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom or creative talents from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom making their first film:

	Points
Director	3
Scriptwriter or storyboarder	3
(Co-)producer or applicant VFX producer (natural person)	3
Composer	3
VFX or animation supervisor	3
Character designer / lead FX artist or lead animation artist	2
Head of production design / background supervisor / lead environment artist or digital matte painting artist	2
Dubbing artists (one point each for the first four principal characters)	4
Sound designer	1
Lead shading/texturing artist	1
Editing or lead compositing artist	1
Line producer or VFX producer not filing the application	1
Total	27
A-Block total	52

B-Block: Production¹⁹

	Points
1 point for each 10% of the total costs for animation/VFX work spent on animation/VFX work in Germany	10
80% of rigging or layout work in Germany	2
80% of previsualisation in Germany	2
80% of digital environment or matte painting in Germany	2
80% of virtual camera work in Germany	2
80% of animatics in Germany	1
80% of simulations in Germany	2
80% of the following work in Germany speech and sound editing; mixing or VFX asset creation	3
80% of music recording in Germany	2
80% of rendering in Germany	2
80% of compositing in Germany	2
80% of laboratory work up to the answer print or VFX editorial in Germany	2
Total	32
A-/ B-Block total	84

At least 42 out of 84 points from both categories are required

¹⁹ In case of financial aid pursuant to Part IV, the percentages refer to the share of the production service provider filing the application in the project.

SCHEDULE 6:

TEST OF CHARACTERISTICS FOR DOCUMENTARY FILMS PRODUCED IN ACCORDANCE WITH THE EUROPEAN CONVENTION ON CINEMATOGRAPHIC CO-PRODUCTION

The documentary film must be produced in accordance with the European Convention and score at least 50% of the total points available in the following catalogue. The information “from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom” refers to the nationality of natural persons or their place of residence²⁰ and centre of their lives in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom.

	Points
Creative talents from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom:	
Director	3
Script	2
Camera	2
Research	1
Composer	1
Editor	2
Sound engineer	1
Production in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom:	
Shooting in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom	2
Post-production in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom	2
Total	16

²⁰ A place of residence is where somebody has a residence in circumstances which indicate that the person will keep and use the residence for his or her personal use.

SCHEDULE 7:

TEST OF CHARACTERISTICS FOR ANIMATED FILMS PRODUCED IN ACCORDANCE WITH THE EUROPEAN CONVENTION ON CINEMATOGRAPHIC CO-PRODUCTION

The animated film must be produced in accordance with the European Convention and score at least 14 points in the following catalogue. The information “from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom” refers to the nationality of natural persons or their place of residence²¹ and centre of their lives in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom.

	Points
Creative talents from Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom:	
Conception	1
Script	2
Character designer	2
Composer	1
Director	2
Storyboard	2
Production designer	1
Background supervisor	1
Layout	2
Production in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom:	
50% of expenditures for animation work in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom	2
50% of colouring in Germany, another EU Member State, another EEA contracting state, Switzerland or the United Kingdom	2
80% of compositing	1
80% of editing	1
80% of sound	1
Total	21

²¹ A place of residence is where somebody has a residence in circumstances which indicate that the person will keep and use the residence for his or her personal use.

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